

Fostering and Leveraging Opportunities for Water Security (FLOW) Project

LABOR MANAGEMENT PROCEDURES

1. OVERVIEW OF LABOR USE ON THE PROJECT

The Government of Kosovo intends to receive a loan from the World Bank (WB) for implementation of the Fostering and Leveraging Opportunities for Water Security (FLOWS) Project (the Project, or FLOWS). The Project is to be implemented by the Project Implementation Unit within the Ministry of Infrastructure and Environment (MIE). As concluded in the 2018 Kosovo Water Security Outlook report (World Bank, 2018), Kosovo is water stressed with the lowest level of water resources developed with infrastructure. As a first step towards achieving Kosovo’s long-term national water strategy, the Government of Kosovo is working with the World Bank to develop a multi-sector investment program to respond to immediate challenges while developing the building blocks for improved water future of Kosovo taking an integrated, systematic approach. LMP will be updated from time to time during project implementation.

The program has the following three main components, some with several sub-components:

Component 1: Foundational measures for water security. This component will build the foundations for water security in the country and build readiness for major investments. It will support: 1) national level water resources investment preparation; 2) enhancement of water information system for decision making; and 3) dam operations improvement and safety regulations and measures.

Component 2: Addressing water crisis with catalytic investments. This component aims to catalyze water security investments in the Morava e Binces Basin that address the immediate challenges of water shortage, poor service delivery and a single-sector approach to cross-cutting water security issues, while embarking on an integrated water security agenda. It will finance immediate measures in integrated basin development and management, including: (i) preparation of the “Kike-Kremenata” hydro-system; (ii) improvements to enhance the quantity and quality of drinking water supply in response to the region’s ongoing drought crisis; and (iii) bottom-up, integrated upstream water stewardship measures that can strengthen water security and resilience, protect source water, reduce erosion, and improve ecological services in an integrated approach; and improve rural livelihoods.

Component 3: Program Management. This component will provide funding to contract professional and support staff to strengthen the Project Management Team (PMT) to be established in the Ministry of Infrastructure and Environment, facilitate its operations and ensure that certain specialized tasks are professionally executed by people with the required background and knowledge, including professional staff, short term expertise, and support staff.

The sub-projects that are planned to be supported holds various specifics.

ESS 2 categorizes the workers into: direct workers, contracted workers, community workers and primary supply workers. Initial Project review envisaged that the project, within various sub-projects would encompass the following categories of workers: direct workers and contracted workers.

However, although the design of sub-projects is still in preparatory phase, it is clear that community workers and primary supply workers are not relevant for this project. MESP will engage companies that will contract professionally engaged workers, thus eliminating the possibility to engage Community workers. About Primary supply workers, project is expected to, on an ongoing basis, source directly goods or materials essential for the core functions of the project.

Direct workers will be those engaged for implementation of the planned sub-project activities. Direct workers, can be deployed as ‘technical consultants’ by the project and will be governed by mutually agreed contracts.

Contract workers will be employed as deemed appropriate by contractors, subcontractors, and other intermediaries, details of which will be known only prior beginning of implementation activities.

Sub-projects will engage various profile of workers, among which dominant is expected to be:

- Construction and general purposes workers - 180
- Civil engineers - 20
- Other logistic staff for Construction activities (Trucks and other heavy machinery drivers) – 25
- Technical consultants -10
- Administrative staff - 35

At this moment the timing for realization of the planned sub-project activities is unknown, although it is planned activities to take place till year 2023.

Migrant workers are not expected to work on any of foreseen sub-projects.

2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

Fostering and Leveraging Opportunities for Water Security (FLOWS) program will implement a range of investments and measures, particularly multi-sector investments that complement ongoing single-sector initiatives. All physical investments are in the Morava e Binces basin (municipalities of Kamenicë, Ranillug and Gjilan). The program will implement both the basin specific investments as well as the national investment planning. The program will be flexibly designed to adapt to priorities emerging from the basin planning process, and overall support water security, climate change adaptation and preparing investments for future programmatic investments.

Project activities are as follows:

1. Investments to introduce modern irrigation water systems and services in target areas (with EU IPA funding, also subject to prioritization under the irrigation masterplan currently under preparation under the ARDP program)

Implementation of activities include introduction of modern irrigation system and services (upgrading of irrigation infrastructure networks, construction of new pipelines, introducing modern irrigation techniques for water saving, etc.) may cause adverse impact during construction and operation phase of the project.

Construction and maintenance activities will generate: air emission (dust emissions, exhaust gases), noise and vibration as a result of working and transportation activities, usage of equipment and mechanization; waste water (construction activities and labour camps), waste (hazardous or non-hazardous) as a result of preparation of construction site, construction and maintenance activities (surplus excavated soil, inert waste, communal waste, packaging waste, asbestos, biodegradable waste, electronic waste etc.).

In the operational phase of the irrigation system, possible water system leaks can increase the demands on the water supply source, amount of power used for pumping, etc. Non efficient use of irrigation system may cause adverse impacts of flow of downstream river (Kriva Reka).

The design and construction of an irrigation system goes through several major stages. A plan is prepared according to the area, shape and landscape of the terrain. Designing the irrigation structure itself is done by an engineering team that assesses the needs of the client and takes the obstacles of the terrain and other factors into account. Then excavation and bulk operations are carried out, Channels are drilled, pipes are installed, and the channels are covered. Next stage is laying of the pipes, mounting and installation of sprinklers. Systems are organized into circles that facilitate the irrigation work. The watering system is commanded by a collector box, including valves, filters, and various other elements. The installation of the control box must be in a location that is easy to access and service. The valves and pipes are connected with a programmer that turns on and off each system circuit. Some irrigators are connected with sensors that help improve performance.

The irrigation system is directly connected to a water source – general water supply network, a well, a water basin, or a source of another type.

There are different types of potential accidents that can cause injury or death when working on or around irrigation systems, including:

- Electrical Contacts/Accidents
- Contacts/Entanglements with Moving Parts
- Chemical Exposures/Poisonings
- Falls from the System
- Drowning

- Physical (Head, Eye, Ear, Hand & Foot) Accidents
- Conducting hazardous work (such as working at heights or in confined spaces)
- Accidents from improper use of heavy machinery
- Accidents of use of hazardous materials

2. Expand, rehabilitate and modernize domestic water supply systems, including measures to improve performance and efficiency of water use in RWC Hidromorava

Implementation of activities which include expanding, rehabilitation and modernization of domestic water supply systems including measures to improve performance and efficiency of water use in RWC Hidromorava will include activities for setting new pipelines, rehabilitation of existing pipelines, treatment of water in water treatment plant that may cause adverse environmental and social impact in the targets area during construction and operation phase of the project.

The main possible impact is related with usage of raw materials, energy and water. Construction and maintenance activities will generate: air emission (dust emissions, exhaust gases), noise and vibration as a result of working and transportation activities, usage of equipment and mechanization; waste water (construction activities and labour camps), waste (hazardous or non-hazardous) as a result of preparation of construction site, construction and maintenance activities (surplus excavated soil, inert waste, communal waste, packaging waste, asbestos, biodegradable waste, electronic waste etc.).

In the operational phase of the water supplying system, possible water system leaks can reduce the pressure of the water system compromising its integrity and ability to protect water quality (by allowing contaminated water to leak into the system) and increasing the demands on the source water supply, the quantity of chemicals, and the amount of power used for pumping and treatment. Leaks in the distribution system can result from improper installation or maintenance, inadequate corrosion protection etc.

Water lines may be periodically flushed to remove accumulated sediments or other impurities that have accumulated in the pipe. The major environmental aspect of water pipe flushing is the discharge of flushed water, which may be high in suspended solids, residual chlorine, and other contaminants that can harm surface water bodies and workers working on this task.

For operation of water treatment plan is required usage of water, electricity, hazardous chemicals for coagulation, disinfection and water conditioning, etc. As a result of operation of water treatment plant will be generated waste (hazardous and non-hazardous), waste water (may contain suspended solids and organics from the raw water, high levels of dissolved solids, high or low pH, heavy metals, etc.), and air emissions. Air emissions from water treatment operations may include ozone (in the case of ozone disinfection) and gaseous or volatile chemicals used for disinfection processes (e.g., chlorine and ammonia).

Several different types of potential accidents occur when workers are working on or around water supply system, including:

- Electrical Contacts/Accidents
- Contacts/Entanglements with Moving Parts
- Chemical Exposures/Poisonings
- Falls from the System
- Drowning
- Physical (Head, Eye, Ear, Hand & Foot) Accidents
- Conducting hazardous work (such as working at heights or in confined spaces)
- Accidents of use of hazardous materials

3. Institutionalizing dam safety surveillance programs including necessary training and targeted investments within the basin

A large number of sub-legal acts have been developed within Law No. 04/L-147 on the Waters of Kosovo, however, there are still many legal and institutional gaps hindering full implementation of this law, out of each is the lack of natural and legal persons for assessing dam safety, water cadaster, water information system, and other.

River Basin District Authority (RBDA), formerly MESP Department of Water, was founded in 2018. RBDA has seven (7) employees, out of each one employee (1), Head of Planning Department, is in charge of dam conditions (Head of Planning Division) with hydro technical engineering education background (graduated at the technical faculty of engineering, Pristina University), but no experience or training in dam construction, safety or maintenance.

RBDA dam related responsibilities (according to AI 09/2017 on Design, Construction and Use of Dams):

- Approves plans and projects for the construction of new dam and filling;
- Prepares dam inspection plans and performs periodic inspections;
- Supervises use and maintenance of the dam;
- Supervises emergency aspects in collaboration with Emergency Response Agency, local authorities and other responsible authorities for emergencies;
- Examines the reports and verifies the technical safety requirements;
- If deemed necessary for technical safety of the dam, specifies the conditions for uninterrupted use of the dam.

However, lack of equipment and human resources (trainings, knowledge, experience) resulted in none of dams being monitored (other than by visual inspection).

From 2008 on, there have been no cases of dam construction, to be able to test, use and evaluate competence and effectiveness of administrative procedures, including environmental permitting.

Responsibilities and tasks related to the existing dams are largely not performed (periodic inspection is only visual, no coordination and collaboration on emergency aspects exist, no reports are submitted/reviewed and technical safety requirements remain unknown, no inspection plans are made).

The envisaged outcomes include institutional arrangements, policies, and procedures for monitoring; risk assessment; identification of corrective actions to mitigate risks; regular operation and maintenance; dam operation during extreme climate events; and budgetary allocations for dam safety. This investment will play a leading role in facilitating a process to support the Government the Project instituting dam safety policies, developing guidelines for dam safety monitoring and inspection, and establishing an independent dam safety center.

The risks for engaged workers/members of technical team who will conduct inspections, while in training and later in operational phase when inspecting, shows signs of potential hazards for the engaged persons in sense of site visits to an existing dam and potential: Electrical Contacts/Accidents, Contacts/Entanglements with Moving Parts, Chemical Exposures/Poisonings, Falls from the System, Drowning, Physical (Head, Eye, Ear, Hand & Foot) Accidents, Conducting hazardous work (such as working at heights or in confined spaces), Accidents from improper use of heavy machinery and use of hazardous materials.

4. Investments targeting flood and drought management infrastructures

The main reason for appearance of flood and drought in the project area is:

- Insufficient maintenance of flood channels,
- Dumping of waste into flood channels,
- Unauthorized gravel extraction,
- Poor condition of flood embankments,
- Damage to flood embankments,
- Insufficient maintenance of the rivers and river's bed,
- Illegal construction near rivers,
- Unplanned development of agriculture,
- Illegal logging,
- Construction in the flood risk area,
- Natural phenomena of landslide and erosion etc.

In accordance with Kosovo National Water Strategy, Climate Change Framework Strategy Kosovo (including Low Emission Development Strategy (LEDS)&National Adaptation Strategy (NAS)) are defined a set of the flood risk adaptation measure: building flood defenses and raising the levels of dykes, developing drought-tolerant crops, choosing tree species and forestry practices less vulnerable to storms and fires, and setting aside land corridors to help species migrate.

For reduction of phenomena of floods and droughts is going to be implemented the following activities: clearing on rivers from sediments and its regulation, construction of flood defense walls, setting gabions, embankments, clearing or construction of drainage channel, setting automatic monitoring station (precipitation, river flow, reservoirs, groundwater monitoring network, snow-pack monitoring) etc. In addition will be required activities for afforestation, forest protection, maintenance of the river flow, stopping extraction of mineral materials (mining) from or near rivers, etc.

Implementation of infrastructure activities for protection of floods and droughts will require land use, raw materials, energy and water. As a result of proposed activities will be generated air emission (dust emissions, exhaust gases), noise and vibration as a result of use of equipment and mechanization, transport activities, waste water as a result of construction activities, waste (hazardous or non-hazardous) as a result of construction and maintenance activities.

All mentioned activities and emissions may cause impact on: air quality, climate changes, soil, water (surface and ground water), biodiversity and landscape, as well as local population. The main adverse impact related with these activities are impacts on water as well biodiversity especially on aquatic habitats and species, because implementation of the activity mainly will be performed in the rivers or near surroundings. Also, there is a possibility during performance of activities for diversion of the river's flow.

The risks for engaged workers/members of technical team who will conduct inspections, while in training and later in operational phase when inspecting, shows signs of potential hazards for the engaged persons in sense of site visits to an existing dam and potential: Electrical Contacts/Accidents, Contacts/ Entanglements with Moving Parts, Chemical Exposures/Poisonings, Falls from the System, Drowning, Physical (Head, Eye, Ear, Hand & Foot) Accidents, Conducting hazardous work (such as working at heights or in confined spaces), Accidents from improper use of heavy machinery and use of hazardous materials.

5. Improving quality of agricultural products to meet the standards required, introducing water-saving irrigation systems to intensify and diversify the production focusing on higher value crops, further developing sustainable value chains and strengthening the linkages to markets, including the local tourism industry

For implementation of this investments it is required conducting activities for improving the agricultural production with higher value crops through introducing appropriate irrigation system, proper usage of fertilizers and pesticides, introducing new agricultural crops, proper storage of agricultural products (warehouses or refrigerators) in order to be keep the quality of the products and to be competitive on the markets. In addition, for development of the rural tourism and promotion of the local agricultural products may be required capacity for processing and preservation of produced agricultural products, their brandings and promotion on the market.

Construction and operation activities will generate: air emission, noise and vibration as a result of working and transportation activities, usage of equipment and mechanization; waste water (construction activities), waste (hazardous or non-hazardous) as a result of preparation of construction site, construction and maintenance activities (surplus excavated soil, inert waste, communal waste, packaging waste, biodegradable waste, electronic waste etc.).

Irrigation and farming activities, as well as storage capacities for agricultural products and processing facilities may cause adverse impact and hazards on workers such as: Contacts/ Entanglements with Moving Parts, Chemical Exposures/Poisonings, Physical (Head, Eye, Ear, Hand & Foot) Accidents, Conducting hazardous work (such as working at heights or in confined spaces), Accidents from improper use of heavy machinery and use of hazardous materials.

6. Technical assistance

This component is a technical assistance to help the Borrower and water agencies to transform towards integrated river basin planning and water management using participatory methods. It will include policy and institutional innovations, capacity building for improved water resources management and decision making.

Given the number of the subprojects and its nature/locations, it is anticipated that training courses should be provided during the Project implementation. The training should focus on the Kosovo environmental regulations and WB's Environmental and Social Standards and procedures, specifically on the screening and appraisal of environmental document during the subproject preparation; knowledge, policies, and procedures related to environment issues could be completed before construction start; monitoring the environmental compliance during subproject implementation. All key staff responsible for the activities and other relevant stakeholder should participate in the trainings.

This component will not fund any physical activities, hence there will be no significant impacts to the engaged workers.

No incidents of child labor or forced labor, with reference to the sector or locality are expected, within foreseen sub-project activities. However, contract with the Contractor will hold consent for acceptance of conducting irregular monitoring by the PMT on the Contractor, on compliance with requirements of prohibition of all forms of Discrimination, Forced or Compulsory Labor and Child Labor, all in compliance with National Labor Law, WB's ESS2 and ILO Conventions.

Seasonality can be considered on a daily base, since there is sufficient unskilled and semiskilled workforce on the national and local market, and the area is reachable by road, so labor influx is not an event expecting to occur.

Gender-based violence has been recorded in Kosovo, therefore GBV related Code of conduct for all contractors will be mandatory.

It is not expected any avoidance of implementation or occupational health and safety requirements to occur.

3. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Law on Labor (03/L-212) regulates the rights and responsibilities of parties that have established a formal employment relationship. The law regulates employment in both private and public sectors. It bans all forms of discrimination and any form of forced work. Law stipulates terms and criteria for establishing employment relationships and requirements for the working conditions, including working hours, remuneration schedule and other employment benefits. Termination of contracts and grievance mechanisms are also regulated by this law. The law establishes a social dialogue, which is further elaborated in the Collective Contract. The Law on Labor offers general guidance for occupational protection and safety, which is further regulated by the Law on Safety and Health at Work (04/L-161). Working conditions are further regulated by a set of administrative instructions (AI), which prohibit or provide minimum requirements for working arrangements for minors (such as AI no. 05/2013 and AI no. 17/2008), define grievance mechanisms and disciplinary procedures (regulation no. 01/2018), maternity leave and remuneration during maternity leave (AI no. 01/2018, AI no. 07/2014, AI no. 05/2011), establish the minimum wage (AI no. 09/2017), etc.

For those who are employed some benefits are provided in accordance with the provisions of the Law on Labor which gives the right to paid leave during pregnancy and while taking care of a child. This Law also provides an obligation of the Government to establish a minimum wage for the next year which has been proposed by the Socio-Economic Council. The Law provides workers with paid sick leave and compensation in case of injury at work.

Collective Contract is a sub-legal act that derives from the Law on Labor and is compiled with the intention to provide more detailed guidelines and instructions on the rights and responsibilities of parties that have established employment contract. Collective Contract provides additional details regarding employees' benefits deriving from years of employment and retirement financial package.

Among others, Law on Labor (nr. 03/L-212):

- Prohibits all forms of Discrimination: Discrimination is prohibited in employment and occupation in respect of recruitment, training, promotion of employment, terms and conditions of employment, disciplinary measures, cancellation of the contract of employment or other matters arising out of the employment relationship and regulated by Law and other Laws into force;
- Prohibits Forced or Compulsory Labor
- Prohibits Child Labor: An employment relationship may be concluded by any person of eighteen (18) years of age or above. An employment relationship may also be established with a person between fifteen (15) and eighteen (18) years of age, who may be employed for easy labor that do not represent a risk to their health or development and if such a labor is not prohibited by any

Law or sub-legal act. No employer may conclude an employment contract with a person below fifteen (15) years of age.

- Protects Youth, Women and Persons with Disabilities
- Protects of Employees' Rights

The Labor Law defines the following: work contract is only in written form; trial job period lasts only for 6 months at most; working hours are at 40 hours per week; employees are entitled to a 30 minute break; there is a 4 week annual leave, while women are guaranteed a 12 month maternity leave, 9 of which are paid.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

Purpose of Law no. 04/L-161 on Safety and Health at Work (16.05.2013) is to set measures for improving the level of safety and health of employees at work. It regulates working conditions at a workplace, rights of employees and employer obligations, in general. It contains general principles for prevention of occupational hazards, elimination of hazardous and accidents factors, information, consultation, balanced participation in improving the level of safety and health at work, treatment of employees, their representatives and general guidelines for implementing such principles.

According to this law , employer employing up to fifty (50) employees, if competent, can personally take over the responsibility for implementing measures determined by this law; Employer employing over fifty (50) employees and less than two hundred and fifty (250) employees, is obliged to appoint an expert, for carrying out tasks related to safety and health at work; Employer employing over two hundred and fifty (250) employees should engage one (1) or more experts to carry out activities related to safety and health at work.

Law on Safety and Health at Work (04/L-161) stipulates conditions and protective measures in the work environments with the intention to prevent work-related injuries and ensure occupational safety and health. Work environment is defined as any environment where work is performed. Law mandates Kosovo Government to form a Counsel for Safety at Work and Protection of Workers' Wellbeing and Working Environments. The law establishes responsibilities of parties included in the work arrangement, as well as ensures additional measures of protection in work environments for youth, women and people with disabilities. The law sets out measures for improving the level of safety and health of employees at work. It contains general principles of prevention of occupational hazards, elimination of causes of hazards and accidents, information, consultation, balanced participation in improving the level of safety and health at work, treatment of employees, their representatives and general guidelines for implementing such principles.

Provisions of this Law are applied in public, private and public-private sector and in state administration sector at central and local level. Provisions of this Law are applied for interns, pupils and students carrying out practical work during their schooling, persons serving sentences engaged in work, visitors, business partners, users of services and persons attending vocational training and re-training with employer.

Provisions of this Law are not applied in sectors, activity of which is regulated with special Laws, such as: Kosovo Security Force, police, firefighters service and protection and rescue services.

The Law on Safety and Health at Work establishes the National Council for Safety and Health at Work. The Council proposes, recommends and drafts policies for improving safety and health levels at workplace and constantly follows safety and health situation of employees at workplace. The Council consists of eleven (11) members: three (3) Government representatives, two (2) employer representatives, two (2) employee representatives, two (2) experts from the field of safety and health at work, one (1) expert of labor medicine, and one (1) ad hoc expert, depending on the nature of the issue.

5. RESPONSIBLE STAFF

The MESP will be the lead project Implementing Agency and will have overall responsibility for project management and implementation. The Project implementation will be partially mainstreamed into the MESP structure, along with RWC Hidromorava, and will include other institutions involved in implementation of Project funded activities. To this end a Project Management Team (PMT) will be set up by the MESP which will be responsible for monitoring of implementation of Project and its sub-projects, including implementation of the planned activities each sub-project. The PMT will consists of Head of PMT, four PMT members (one from Hidromorava) and one responsible person for administrative support, all appointed by MESP. The Sub-project's implementation unit (SIU) will consist of three members: Head of SIU and another member, both appointed by MESP, and Hidromorava member. A member appointed by municipality where construction activities will take place, can also replace MESP member in SIU.

MESP (PMT) will be responsible for the following:

- Implement this labor management procedure.
- Ensure that contractors all works that implements are in comply with these labor management procedures.
- Ensure the contracts with the contractors are developed in line with the provisions of this LMP.
- Monitor to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers.
- Monitor contractors and subcontractors' implementation of labor management procedures.
- Ensure that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it.
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance.
- Monitor implementation of the Worker Code of Conduct.

- Monitor implementation of the GBV Code of Conduct for all contractors.

Project Operational Manual will include standard templates of contracts which include LMP, OHS aspects, and the contractors commit to them. LMP and OHS responsibilities of the Contractors are the following:

- Follow the labor management procedures and occupational health and safety requirements as stated in the contracts signed with MESP.
- Contractors will keep records in accordance with specifications of the job description.
- Supervise the subcontractors' implementation of labor management procedures and occupational health and safety requirements.
- Maintain records of recruitment and employment of contracted workers as provided in their contracts.
- Communicate clearly job descriptions and employment conditions to all workers.
- Develop, and implement workers' grievance mechanism and address the grievance received from the contracted and sub-contracted workers
- Make sure every project worker hired by contractor/subcontractor is aware of the FLOWS (PMT) dedicated phone number, email address, and web portal through which anyone can submit grievances.
- Have a system for regular review and reporting on labor, and occupational safety and health performance.
- Ensure that all contractor and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of works.
- Ensure that all contractor and sub-contractor workers understand and sign the GBV Code of Conduct prior to the commencement of works.

After the bidding process is completed and the Contractors are known, this labor management procedure can be updated to include additional details about companies, as necessary.

6. POLICIES AND PROCEDURES

This section outlines main policies and procedures to be followed during construction phase of the project. This section will be updated and amended as needed, after construction contracts have been awarded.

As specified in the Labor Law, employment of sub-project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment process, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be followed by contractors and monitored by MESP PMT, to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender.

- Applications for employment will only be considered if submitted via the official application procedures established by the contractors.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract.
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer.
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in both official languages, and/or language that is understandable to both parties.
- All workers will be 18 years old or above for civil works. This will be a requirement in FLOWS contracts with contractors of the sub-projects.

Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration.

Companies that submit proposals in response to sub-project's tenders will have to demonstrate their capability to manage health and safety risks and will have to provide corresponding documentation. This will be considered during evaluation of proposals. After contract award, contractors will be required to prepare and submit their own Labor Management Procedures that are consistent with this document. Contractors in turn will ensure that Procedures are implemented by subcontractors.

Sub-project Contractors will also prepare detailed Occupational Health and Safety Plans, which will among other issues include an assessment of the risks of the specific activities to be undertaken and a permitting system that requires special training and authorization to undertake high-risk activities (e.g. working at height, working in or near water, excavation, etc.). All types of works will be covered in the risk assessment.

As noted, MESP will develop and require sub-project contractors to implement a Worker Code of Conduct. Construction contractors may develop their own Code, which will be reviewed by external Consultant and approved if it is consistent with national Legislation and WB ESF. The Code of Conduct will reflect the company's core values and overall working culture.

Sub-project contractors will be required to report periodically on the performance in terms of labor, occupational health and safety issues, and these reports will be included in the construction contractors' monthly reports.

7. AGE OF EMPLOYMENT

The minimum age of employment for this project shall be 18 years.

Contractors of sub-projects will be required to verify and identify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, or medical or school record. If a minor under the minimum labor eligible age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the minor in a responsible manner, taking into account the best interest of the minor.

8. TERMS AND CONDITIONS

The employment terms and conditions applying to FLOWS (PMT) employees are set out in this document. These internal labor rules will apply to all FLOWS employees who are assigned to work on the project (direct workers). Terms and conditions of part-time direct workers are determined by their individual contracts.

The work hours for FLOWS workers will be 40 hours per week, eight hours per workday. Terms and conditions of part-time direct workers will be determined by their individual contracts. The contractors' labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure and specified in the standard contracts to be used by the MESP under the project, which will be provided in Project Operations Manual and follow this LMP.

9. GRIEVANCE MECHANISM

The project will establish a GRM for the Project Workers consistent with the ESS2 before the Project Effectiveness and describe them in the Project Operations Manual (POM).

All identified stakeholders within the FLOWS project can submit a complaint/suggestion regarding the project implementation. The complainant will be informed about the proposed corrective action and follow-up of corrective action within 15 calendar days upon the acknowledgement of grievance. In situation when the PMT is not able to address the particular issue verified through the grievance mechanism or if action is not required, it will provide a detailed explanation/justification on why the issue was not addressed. The response will also contain an explanation on how the person/ organization that raised the complaint can proceed with the grievance in case the outcome is not satisfactory. Grievance mechanism will be publicly available on the MESP web site (special link to FLOWS) in order to be easily accessible for the stakeholders and to be able to submit a complaint for the project activities and documents that will be developed within the FLOWS.

10. CONTRACTOR MANAGEMENT

Construction and other contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Standard Procurement Documents and Kosovo law.

FLOWS' PMT within MESP will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by contractors.

Contractors' labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law,, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

Fulfillment of these obligations will apply to the companies that will be engaged on FLOWS' sub-project.

11. COMMUNITY WORKERS

Not relevant. There are no community workers foreseen to be engaged on this project

12. PRIMARY SUPPLY WORKERS

The primary suppliers for the FLOWS will be the companies that will supply raw materials, equipment and services for construction of planned infrastructure. Companies suppliers are expected to be local from the Municipalities where the sub-project will take place, or at least national.

Contractors will need to carry out due diligence procedure to identify if there are significant risks within their suppliers by exploiting child or forced labor, or exposing worker to serious safety issues.